

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated June 11, 2003, claims 1-20 are pending in the application. Claim 21 has been added above. Applicants respectfully request the Examiner for reconsideration.

The disclosure stands objected to for including docket numbers. Applicants have amended the first paragraph to remove the docket numbers.

Claims 1-20 stand objected to for informality related to the object sensor. Applicants have included the word "an" in front of object sensor in claims 1 and 9.

Claims 1-12, 19, and 20 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Applicants have made numerous revisions to claims 1, 2, 5-7, 9, 10-12, 19, and 20. Applicants believe that these amendments overcome this rejection. Applicants believe that these amendments overcome this rejection. Should the Examiner have any further suggestions, the Examiner is directed to call the undersigned.

Claims 1 and 3-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Shirai* (6,018,308). Applicants have amended claims 1, 9, and 13 to state that the object classification signal corresponds to a type of second vehicle. Thus, the system activates the countermeasure in response to the object classification signal which includes a vehicle type. It should be noted that the vehicle type is a type of second vehicle or the vehicle that is the object. This is not taught or suggested in the *Shirai* reference.

The *Shirai* reference is directed to an adaptive cruise control system. Although object classification is described, the classification consists of determining whether or not an object is a vehicle. Then, the classification system determines whether or not the vehicle is moving or non-moving. Thus, even though a type of tracked obstacle is described, only vehicle or non-vehicle is determined. This is not surprising since the system is directed to an adaptive cruise control system that is to maintain a predetermined distance from another vehicle. The present invention is directed to a pre-crash sensing system which is different than an adaptive cruise control system. In a pre-crash sensing system and as described in the specification, it is

desirable to determine the type of vehicle such as whether a vehicle is a small car, a sport utility vehicle, or a similar size car. Thus, the appropriate countermeasure may be used based on the type of vehicle. Therefore, it is important for the present invention to determine the type of vehicle which is beyond that taught or suggested in the *Shirai* reference. Applicants therefore respectfully request the Examiner for reconsideration.

In light of the above amendments and remarks, applicants submit that all objections and rejections are now overcome. Applicants respectfully submit that the application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments the Examiner is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to Deposit Account 06-1510.

Respectfully submitted,



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